

These are the only active provisions of Section 635 Statutes of 2007 (Senate Bill 45)

Sec. 9. Private postsecondary educational institutions that have a valid approval to operate, including, but not necessarily limited to, a license to operate, and instructors holding a valid certificate of authorization for service, from the Bureau for Private Postsecondary and Vocational Education as of June 30, 2007, shall retain those approvals, licenses, or certificates of authorization for purposes of interpreting other provisions of applicable law that refer or relate to the issuance of a license or registration and meeting qualifications for licensing examinations. Those approvals shall be effective through January 1, 2009, unless a later enacted statute modifies, extends, or deletes that date.

SEC. 6. (a) (1) The Bureau for Private Postsecondary Education is hereby established in the Department of Consumer Affairs. (2) The bureau shall not commence operations unless and until a statute is enacted that creates a new California Private Postsecondary Education Act that provides functions and responsibilities of the bureau. The bureau shall have the following general duties and responsibilities, including, but not necessarily limited to, all of the following:

- (A) Review and approval of private postsecondary and vocational educational institutions.
- (B) Review and investigation of student complaints.
- (C) Administration of the Student Tuition Recovery Fund.
- (D) Outreach to students.
- (E) The collection and dissemination of appropriate information regarding regulations required by any subsequent legislation.
- (F) Establishing a reasonable fee structure that will fund its operations.
- (G) The collection of fees relating to, and general responsibility for, the oversight of private postsecondary and vocational educational institutions in the State of California.

(3) The bureau shall succeed to any and all rights and claims of the former Bureau for Private Postsecondary and Vocational Education that may have been asserted in any judicial or administrative action pending on July 1, 2007, and shall take any action reasonably necessary to assert and realize those rights and claims in its own name.

(b) The bureau shall have possession and control of all records, papers, offices, equipment, supplies, or other property, real or personal, held for the benefit or use by the former bureau in the performance of the duties, powers, purposes, responsibilities, and jurisdictions that are vested in the bureau.

(c) The bureau has the responsibility for approving and regulating private postsecondary educational institutions. The bureau shall have, as its objective, the development of a strong, vigorous, and widely respected sector of private postsecondary and vocational education.

(d) Protection of the public shall be the highest priority for the Bureau for Private Postsecondary and Vocational Education in exercising its approval, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

(e) The Director of Consumer Affairs may assign and delegate his or her duties under Chapter 67 of the Statutes of 2007, as it is amended by this act, and under Section 6 of this act, to a bureau chief, subject to the other provisions of this section.

(f) The bureau chief may redelegate any of his or her powers under

this section to a designee. The bureau chief shall be appointed by the Governor and confirmed by vote of a majority of the membership of the Senate, and is exempt from the State Civil Service Act (Part 2 (commencing with Section 18500) of Division 5 of Title 2 of the Government Code).

(g) The director, in accordance with the State Civil Service Act, may appoint and fix the compensation of clerical, inspection, investigation, evaluation, and auditing personnel of the bureau, as may be necessary to carry out this section.